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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

LARON ONEAL, individually,)	Case No.	2:23-cv-00643-APG-MDC
)		
Plaintiff,)		
vs.)		
)	STIPULATION AND ORDER TO EXTEND	
ALBERTSON'S, LLC d/b/a)	DISCOVERY	
ALBERTSON'S; SAFEWAY INC. d/b/a)	(Third Request)	
ALBERTSON'S; ALBERTSON'S)		
STORES SUB LLC; AB ACQUISITION)		
LLC; DOES 1 through 100 and ROE)		
CORPORATIONS 1 through 100,)		
inclusive,)		
Defendants.)		

Plaintiff Laron Oneal and the Albertson's Defendants, by and through their respective counsel of record, do hereby stipulate and agree to an extension of the discovery deadline, dispositive motion deadline and the pre-trial order deadline in this matter for a period of sixty (60) days for the reasons explained herein.

Pursuant to Local Rule IA 6-1(a), the parties state that this is the third such discovery extension requested in this matter.

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DISCOVERY COMPLETED TO DATE – LR 26-3(a)

1. The parties attended a Fed. R. Civ. P. 26(f) conference on May 22, 2023.
2. The parties have served Initial Disclosures pursuant to Fed. R. Civ. P. 26(a).
3. Plaintiff served his first set of written discovery on Defendant on June 30, 2023.
4. Defendant served its first set of written discovery to Plaintiff on July 12, 2023.
5. Defendant served responses to Plaintiff's Interrogatories On August 16, 2023.
6. Plaintiff served responses to Defendant's first set of written discovery on August 30, 2023.
7. The parties entered into a stipulated protective order on September 13, 2023.
8. Defendant served responses to Plaintiff's First Set of Requests for Production on September 14, 2023.
9. Defendant served its First Supplement to its Initial Disclosures on September 14, 2023.
10. Defendant served its Second Supplement to its Initial Disclosures on November 20, 2023.
11. Plaintiff served his First Supplement to his Initial Disclosures on November 20, 2023.
12. Plaintiff's deposition was taken on November 21, 2023.
13. Plaintiff served his Second Supplement to his Initial Disclosures on December 6, 2023.
14. The parties exchanged Initial Expert Disclosures on December 19, 2023.
15. Defendant served its Third Supplement to its Initial Disclosures on December 19, 2023.

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16. Both parties served supplements to their Initial Expert Disclosures on January 19, 2024.

17. Plaintiff served his second set of Requests for Production on Defendant on January 19, 2024.

18. Defendant served responses to Plaintiff's second set of Requests for Production on March 5, 2024.

19. On February 6, 2024, Plaintiff noticed the deposition of a former Albertsons employee.

20. On March 12, Plaintiff cancelled that deposition, indicating unavailability of the witness.

DISCOVERY REMAINING – LR 26-3(b)

1. Deposition of Defendant 30(b)(6) designee
2. Depositions of expert witnesses
3. Depositions of Plaintiff's treating physicians (as necessary)
4. Depositions of store employees (as necessary)
5. Depositions of additional fact witnesses (as necessary)

REASONS FOR EXTENSION – LR 26-3(c)

The parties submit that good cause exists for an extension of the discovery deadline, dispositive motion deadline, and deadline to submit the pre-trial order. Defendant's 30(b)(6) witness (for the topics proposed by Plaintiff) recently retired. Defendant is currently working to ensure the availability of a witness who can testify to Plaintiff's proposed topics of examination. The parties have been working together on relevant and proportional topics for examination. The parties expect that a witness will be available to give full and complete testimony on proper topics sometime in the latter half of April 2024.

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Further, the parties discussed the potential of mediation and are in agreement that mediation is likely a worthwhile endeavor. However, the depositions of expert witnesses, and Defendant's 30(b)(6) deposition are necessary in order for the parties to participate in a good faith mediation process. This extension, if granted, will facilitate the potential to schedule ADR.

The parties are working well together and in good faith. Neither party has any intent nor reason to delay the resolution of this matter. The parties anticipate a 60-day extension of the applicable deadlines in this case will be adequate to complete the remaining discovery.

NEW DISCOVERY DEADLINES – LR 26-3(d)

	Current Deadline	New Deadline
Amending Pleadings/Adding Parties	CLOSED	CLOSED
Initial Expert Disclosure	CLOSED	CLOSED
Rebuttal Expert Disclosure	CLOSED	CLOSED
Discovery Deadline	May 20, 2024	July 19, 2024
Dispositive Motion Deadline	June 19, 2024	August 19, 2024
Pre-Trial Order Deadline	July 19, 2024	September 17, 2024

If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions of further court order.

The parties represent that this request for an extension of discovery deadlines is made by the parties in good faith and not for an improper purpose.

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IT IS SO STIPULATED and agreed as to the terms and conditions of this Stipulation to

Extend Discovery Deadlines.

DATED: March 19, 2024

DATED: March 19, 2024

/s/ Jacob A. Suty
Sarah M. Banda, Esq.
Jacob A. Suty, Esq.
Naqvi Injury Law
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Attorneys for Defendants

IT IS SO ORDERED

UNITED STATES MAGISTRATE JUDGE

Date: 3-21-24

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1 **From:** Jacob Suty <jsuty@naqvilaw.com>
 2 **Sent:** Tuesday, March 19, 2024 12:14 PM
 3 **To:** Dallin Knecht <DallinKnecht@backuslaw.com>; Jack Burden
 4 <jackburden@backuslaw.com>; Jennifer Vela <jvela@naqvilaw.com>; Jacquelyn Franco
 5 <jacquelynfranco@backuslaw.com>
 6 **Cc:** Anne Raymundo <anneraymundo@backuslaw.com>; Katri Ching <kching@backuslaw.com>
 7 **Subject:** RE: 2:23-cv-00643-APG-VCF; Oneal v. Albertson's, LLC, et al.

8 Hey Dallin,

9 You may affix my signature.

10 **From:** Dallin Knecht <DallinKnecht@backuslaw.com>
 11 **Sent:** Monday, March 18, 2024 1:43 PM
 12 **To:** Jacob Suty <jsuty@naqvilaw.com>; Jack Burden <jackburden@backuslaw.com>; Jennifer
 13 Vela <jvela@naqvilaw.com>; Jacquelyn Franco <jacquelynfranco@backuslaw.com>
 14 **Cc:** Anne Raymundo <anneraymundo@backuslaw.com>; Katri Ching <kching@backuslaw.com>
 15 **Subject:** RE: 2:23-cv-00643-APG-VCF; Oneal v. Albertson's, LLC, et al.

16 **!!CAUTION!!** This email originated from outside of the organization. Do not click links or open attachments unless
 17 you recognize the sender and know the content is safe.

18 Hi Jake, see attached SAO re discovery. Let me know if we can sign and file or if you have any
 19 changes necessary, thanks.

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